

REMARKS

Applicants amended claims 1, 38 and 62. Claims 2-4, 15, 17, 19-20, 30, and 33 are original. Claims 5, 7-9, 11-14, 18, 26-29, 31, 35 and 36 were previously presented. Claims 6, 10, and 21-25 were previously withdrawn. Claims 16, 32, 34, 37 and 39-61 are canceled, without prejudice. No new matter is introduced.

35 U.S.C. §102

Claims 1-5, 7-9, 11-16, 33, 35-37, 39-40 and 62 were rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over WO 01/12889 ("Gunzel").

Applicants have amended claims 1 and 62 to more clearly define the scope of those claims. Claims 1 and 62, as amended, cover composite fabric articles comprising multi-filament, interlaced yarns forming a fabric body of knit construction, the fabric body having an inner surface and an exposed outer surface, the exposed outer surface having a non-continuous coating comprising discrete coating segments of between about 0.5 ounces per square yard to about 6.0 ounces per square yard of coating material selected from a group consisting of acrylic latex, polyurethane and silicone applied by a single head rotary screen having from about 30 to about 195 holes per lineal inch, wherein the non-continuous coating is without substantial effect on hand tactile and breathability of the knit construction of the fabric body. Gunzel does not disclose or suggest each and every limitation of claims 1 and 62.

Gunzel describes a woven or knit fabric having a discontinuous coating of polymeric material applied to a surface of the fabric. (See, e.g., Gunzel at page 2, lines 22-31). Gunzel does not describe a fabric body having a non-continuous coating comprising discrete coating segments of between about 0.5 ounces per square yard to about 6.0 ounces per square yard of coating material selected from a group consisting of acrylic latex, polyurethane and silicone applied by a single head rotary screen having from about 30 to about 195 holes per lineal inch, wherein the non-continuous coating is without substantial effect on hand tactile and breathability of the knit construction of the fabric body. Rather, Gunzel describes a very light application of polymer

(e.g., between about 5 and 40 g/m²) applied to a fabric surface by applying non-woven light weight web or by melt blowing or spraying a polymeric material directly onto the fabric to form a web. (See, e.g., id. at page 2, lines 33-36).

This is not merely a trivial distinction. As pointed out in the declaration of inventor Rock submitted herewith in support of a finding of novelty and non-obviousness, with the claimed configuration the coating material is applied to the fabric in very fine, discrete coating segments (i.e., dispensed through a rotary screen having between 30 to about 195 holes per lineal inch), which allows the coating material to flow in between the fibers of the fabric to bond fiber to fiber thereby reducing fiber fraying without generating a 3-dimensional physical barrier at the fabric surface, thereby avoiding substantial effect on the hand tactile of the fabric. To the contrary, Gunzel describes coatings which appear to be concentrated on the uppermost exposed surface of the fabric yarns (See, e.g., id. at page 7, line 35-page 8, line 5; see also FIGS. 1-7), thereby forming 3-dimensional physical barriers at the surface of the fabric to protect the underlying fabric from abrasion. As shown for example, in FIG. 1 of Gunzel the concentrated regions of coating occlude the interstices between yarns at the fabric surface, which, unlike the claimed invention, will effect both breathability and hand tactile at the fabric surface.

In view of the foregoing discussion, Applicants request reconsideration and withdrawal of the rejection of claims 1-5, 7-9, 11-15, 33, 35, 36, and 62 as anticipated by or, in the alternative, as obvious over Gunzel. Claims 16, 37, 39, and 40 have been canceled, and as such, the rejection is now moot with respect to claims 16, 37, 39, and 40.

35 U.S.C. §103

Claims 17-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gunzel in view of U.S. Pat. Pub. 2001/0046580 ("Rock"). Claims 17-20 depend from claim 1, and thus are patentable for at least the reasons discussed above. Rock does not remedy the deficiencies of Gunzel, as discussed above. Specifically, Rock does not teach or suggest a fabric body having a non-continuous coating comprising discrete coating segments of between about 0.5 ounces per square yard to about 6.0 ounces per square yard of coating material selected from a group

consisting of acrylic latex, polyurethane and silicone applied by a single head rotary screen having from about 30 to about 195 holes per lineal inch, wherein the non-continuous coating is without substantial effect on hand tactile of the knit construction of the fabric body.

Therefore, Applicants respectfully request that the rejections of claims 17-20 as unpatentable over Gunzel in view of Rock be withdrawn.

Claims 26-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gunzel in view of Rock in further view of U.S. Pat. 5,198,288 ("Grunfeld"). Claims 26-29 depend from claim 1, and thus are patentable for at least the reasons discussed above. Grunfeld, relied on for its teaching of a knit fabric that includes elastomeric material (e.g., yarn comprising spandex), does not remedy the deficiencies of Gunzel and Rock, as discussed above.

Therefore, Applicants respectfully request that the rejections of claims 26-29 as unpatentable unpatentable over Gunzel in view of Rock in further view of Grunfeld be withdrawn.

Claims 30-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gunzel in view of Rock in further view of U.S. Pat. 5,171,633 ("Muramoto"). Claims 30-31 depend from claim 1, and thus are patentable for at least the reasons discussed above. Muramoto, relied on for its teaching of the use of sheath-core polyurethane yarns does not remedy the deficiencies of Gunzel and Rock, as discussed above.

Therefore, Applicants respectfully request that the rejections of claims 26-29 as unpatentable unpatentable over Gunzel in view of Rock in further view of Grunfeld be withdrawn.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above

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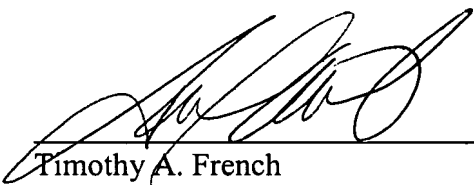
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may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment

No fee is believed to be due for this Amendment; however, if any fees are due, please apply such fees to Deposit Account 06-1050, referencing Attorney Docket No. 22436-067001.

Respectfully submitted,

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